

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

August 26, 2016

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Oahu

Annual Renewal of Revocable Permits on the Island of Oahu. See Exhibit 2 for list of Revocable Permits.

HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject action is exempt from the preparation of an environmental assessment pursuant to Exemption Class 1, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." See Exhibit 1 attached.

BACKGROUND:

At the end of each calendar year, Land Division reviews its list of current revocable permits issued statewide and determines which ones to recommend to the Board of Land and Natural Resources for renewal for the upcoming year. Generally, those revocable permits in good standing will be recommended for renewal, unless the Board has approved a different disposition for the land covered by a particular permit.

In the past, staff has brought all revocable permits to the Board for renewal in one submittal. At its meeting on December 11, 2015, Item D-14, as amended, the Board directed staff to submit revocable permit renewals by county over four meetings, with an explanation of why a revocable permit is the appropriate disposition and how the rent was set. At its meeting on June 22, 2016, Item D-7, the Board further approved the recommendations of the Department of Land and Natural Resources Revocable Permit Task Force, as amended, requesting all divisions notate any non-compliance issues and pending litigation in the renewal template. In accordance with these directives, staff is submitting the Oahu revocable permits, including the additional information the Board requested.

REMARKS:

The list of revocable permits for Oahu that staff recommends be renewed for 2017 is attached as Exhibit 2. Included in the exhibit are the permittee names, tax map keys, original commencement date of the permit, character of use, land area, annual rent, method by which staff set the rent and the rationale behind the issuance of a revocable permit. General location maps of the revocable permits to be renewed are attached as Exhibit 7.

Staff has procured a contract with James Hallstrom of The Hallstrom Group/CBRE, Inc. for appraisal consulting services to assist in establishing the scope of work with respect to valuing the rent to charge for the use of State lands underlying revocable permits statewide as of January 1, 2017, and ground rent discounts for tenancy and use restriction, if any. Once the scope is established, a second phase of the contract will be negotiated for appraisal services to set new rents for significantly underperforming assets. Upon receipt of the appraisal report(s) for these assets, staff will obtain the Chairperson's approval for the implementation of new rents, unless the Board would prefer that staff return to the full Board for review of the rents.

As an interim measure, to ensure a reasonable return for the use of public lands, the Board is requested to approve an increase in rents for all revocable permits. The new rent for each revocable permit will be based on an annual increase of 1.5%, multiplied by the number of years since issuance of the permit or since the most recent rental evaluation, beginning in 1999. For example, for a revocable permit issued in 1999 for an annual rent of \$1000.00, the rent would increase by 27.00%, for a new annual rent of \$1,270.00. This increase would be across the board, regardless of the type of revocable permit, or location of the land. Below is a table of the percentage increase in annual rent based on the year that the revocable permit was issued.

YEAR PERMIT ISSUED	PERCENTAGE RENT INCREASE
1999	27.00%
2000	25.50%
2001	24.00%
2002	22.50%
2003	21.00%
2004	19.50%
2005	18.00%
2006	16.50%
2007	15.00%
2008	13.50%
2009	12.00%
2010	10.50%
2011	9.00%
2012	7.50%
2013	6.00%
2014	4.50%

2015	3.00%
2016	1.50%

Beginning in 2017, the annual rent for every revocable permit would be subject to an annual increase of 1.5% until the rent can be appraised at fair market value. Considering that the average annual increase in the consumer price index for Honolulu from 1999 to the present is 2.52%, staff believes that the 1.5% annual increase is a fair compromise, taking into account the various land uses and locations for revocable permits statewide.¹

The following State and City & County of Honolulu agencies were consulted on this action with the results indicated:

Agency:	Comment:
Division of Forestry and Wildlife	No response by suspense date
Office of Conservation and Coastal Lands	See attached Exhibits 4 & 5
State Parks	No comments
Historic Preservation	Requests the opportunity to review any permits with the potential to affect historic properties, especially any involving ground disturbing activities within the identified subject parcels.
Engineering	No comments
Oahu District Land Office	Updated status on several RPs
Commission on Water Resource Management	No response by suspense date
Division of Conservation and Resources Enforcement	No response by suspense date
Department of Hawaiian Home Lands	No response by suspense date
Department of Agriculture	No comments
Agribusiness Development Corporation	No response by suspense date
Office of Hawaiian Affairs	See attached Exhibit 3
Department of Planning and Permitting	No response by suspense date
Public Works Department	No response by suspense date
Board of Water Supply	No response by suspense date

RECOMMENDATION: That the Board:

1. Approve the continuation of the revocable permits listed in Exhibit 2 on a month-to-month basis for another one-year period through December 31, 2017, except for permits that are in arrears of rental payment for more than 60 days and/or have been approved for forfeiture by a separate Board action. Permits in arrears of rental for 60 days or more and/or approved by the Board for forfeiture shall not be

¹ Attached as Exhibit 6 is a spreadsheet showing the actual consumer price index increases for Honolulu from 1999 to 2016 (for 2016, information for only the first half of the year is available).

renewed; and

2. Approve rent adjustments for the current monthly rent for revocable permits as listed in Exhibit 2 in accordance with the table above, provided however, that the Land Board reserves and delegates to the Chairperson the right at any time to review and reestablish new rental charges for revocable permits, to reflect market conditions or the fair market rental for the rights and privileges granted by such revocable permits and to best serve the interests of the State.

Respectfully Submitted,



Richard T. Howard
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Annual Renewal of Revocable Permits on the Island of Oahu.

Project / Reference No.: Not applicable

Project Location: Various locations on the Island of Oahu

Project Description: Renew existing revocable permits for a term of one year.

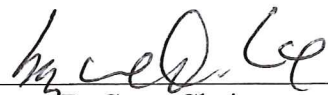
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request for issuance for right-of-entry is exempt from the preparation of an environmental assessment pursuant to Exemption Class 1, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

The annual renewal of existing revocable permits on State lands involves the continuation of existing uses on the lands. No change in use is authorized by the renewal.

Consulted Parties: Agencies listed in submittal.

Recommendation: That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.


Suzanne D. Case, Chairperson

 Date 8/2/16

EXHIBIT 1

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp3954	AMERICAN LEGION DEPT OF HAWAII	(1) 2-3-034:001-0000	10/11/1966	Recreational	0.181	4,128.00	<ul style="list-style-type: none"> •Rent set via staff appraisal, set by Board action dated 8/27/99, Item D-13. Permittee is a 501(c)(3) entity. Staff to issue new permit with contemporary version of RP document. •Irregularly shaped parcel.
rp5169	HIGGINS, HAZEL	(1) 3-8-004:056-0000	10/1/1975	Residential	0.187	3,144.00	<ul style="list-style-type: none"> •Rent based on staff appraisal, set by Board action dated 8/27/99, Item D-13. •There is no access to the parcel from a public road. Staff to seek board approval to cancel RP and reissue a new one to her son.
rp5407	KANEOHE YACHT CLUB	(1) 4-4-022:032-A	8/1/1977	Pier/Dock	0.184	1,656.00	<ul style="list-style-type: none"> •Rent set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.
rp5408	MULLER, C. MICHAEL	(1) 4-1-001:011-A	9/1/1977	Pier/Dock	0.016	588	<ul style="list-style-type: none"> •Rent based on staff appraisal, set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.
rp5414	NOTO, PAUL T. & TERUKO	(1) 4-5-001:018-A	8/1/1977	Pier/Dock	0.002	156	<ul style="list-style-type: none"> •Rent based on staff appraisal dated 11/19/93, set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.

REVOCABLE PERMIT MASTER LIST 2017

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp5557	YAMASHIRO, INC., ED	(1) 1-2-021:042-0000	5/1/1978	Baseyard/Storage	0.964	31,008.00	<ul style="list-style-type: none"> •Rent set via staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. •No access to parcel from public road.
rp5563	CITY & COUNTY OF HONOLULU	(1) 9-2-005:014-0001	3/4/1978	Telecom Facility	0	0	<ul style="list-style-type: none"> •Rent is gratis. •For C&C of Honolulu radio tower and related structures.
rp5614	CITY & COUNTY OF HONOLULU	(1) 3-1-042:006-0000	3/1/1979	Telecom Facility	0.002	0	<ul style="list-style-type: none"> •Rent is gratis. •Permittee is a governmental entity.
rp5762	LIMA, SAMUEL & CATHERINE	(1) 8-5-4:34,43,44	5/15/1980	Pasture	1.247	156	<ul style="list-style-type: none"> •Rent based on state pasture formula (w/ 25% discount), present rent set by Board action on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Parcels are irregularly shaped and provide access to permittee's landlocked kuleana.
rp6331	AOAO KAUAHALE BEACH COVE	(1) 4-5-003:002-A	4/1/1986	Pier/Dock	0.147	888	<ul style="list-style-type: none"> •Rent set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.
rp6546	BUSH, C. BRYSON	(1) 4-5-058:121-0000	1/1/1988	Pier/Dock	0.007	204	<ul style="list-style-type: none"> •Rent set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp6660	NAKOA, WANDA N.	(1) 8-6-002:005-0000	8/1/1989	Recreational	6.407	1,572.00	<ul style="list-style-type: none"> •Rent based on staff appraisal, set by Board action dated 8/27/99, Item D-13. •Staff to seek approval from board to cancel permit and reissue to her children. The parcel is irregularly shaped and runs along a large flood control and drainage system, the Mailiili Channel. The parcel is often exposed to water, and the inadequate drainage infrastructure results in wet and muddy conditions. Due to these deficiencies, it is unlikely a long-term disposition will be issued.
rp7018	GRANDE, THOMAS R.	(1) 4-1-010:016-0000	8/1/1996	Landscaping	0.21	504	<ul style="list-style-type: none"> •Rent based on staff appraisal, set by Board action dated 8/27/99, Item D-13. •Staff to verify the legal access to the subject State lands before exploring the possible sale as a remnant.

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7056	KAPOLEI PEOPLE'S, INC.	(1) 9-1-016:120-0000	1/1/1997	Parking	0.826	5,085.00	<ul style="list-style-type: none"> •Rent based on staff appraisal at RP's commencement on 1/1/97, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Div. manages site for UH, and under MOU dated 12/30/09, DLNR must first obtain prior written approval for long-term disposition of property.
rp7082	HONOLULU COMMUNITY ACTION	(1) 4-1-013:031-0000	11/1/1997	Community Use	2	192	<ul style="list-style-type: none"> •Rent based on 20% of annual mkt. rent, set by Board action dated 8/27/99, Item D-13. •Staff to explore the option of a direct lease for nonprofit entity.
rp7188	DOONWOOD ENGINEERING, INC.	(1) 1-2-021:044-0000	11/1/1999	Baseyard/Storage	0.307	5,400.00	<ul style="list-style-type: none"> •Rent based on staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. •No access to parcel from public road.
rp7242	LULUKU BANANA GROWERS COOP	(1) 4-2-010:001-0000	9/1/2000	Agriculture	190	6,336.00	<ul style="list-style-type: none"> •Rent based on staff appraisal dated 7/27/2000. •RP covers less than 10% of the parcel. Staff to work with DOFAW on the long term planning for the permit area in conjunction with the adjoining forest reserve.

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7356	REYNOLDS, JAMES C.	(1) 5-6-1:47,61	10/1/2003	Electrical	0.34	552	<ul style="list-style-type: none"> •Rent based on in-house valuation dated 6/9/03. •Staff to convert to easement.
rp7367	AOAO OF KEMOO BY THE LAKE	(1) 7-3-012:011-0000	4/1/2004	Parking	0.39	2,040.00	<ul style="list-style-type: none"> •Rent carried over from cancelled RP562, set by Board action dated 8/27/99, Item D-13. •Federal covenants placed on the property at the time it was returned to the State limit its use to parking. Staff will evaluate whether public auction of the lease is possible for this parcel.
rp7402	JEFTS, LARRY	(1) 9-1-16:8, 9-1-18:5,8	7/1/2005	Agriculture	142.149	17,820.00	<ul style="list-style-type: none"> •Rent based on permittee's former lease with Campbell Estate at RP's commencement on 7/1/05. •Potential for future development makes property unsuitable for long term agricultural lease.
rp7469	MCCONNELL, CHERYL	(1) 4-1-013:022-0000	11/1/2009	Pasture	6.86	1,692.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6973, set by Board action on 12/12/97, Item D-3, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Permittee's use of the parcel assists Div. in maintaining property.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

REVOCABLE PERMIT MASTER LIST 2017

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7470	JSR EQUIPMENT, INC.	(1) 1-2-021:036-0000	1/1/2010	Baseyard/Storage	1.424	34,680.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp 6201, which was set via staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. •There is no access to the parcel from a public road.
rp7477	YANAGIHARA, RAYMOND T.	(1) 4-5-006:039-0000	1/1/2010	Landscaping	0.077	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6326, in-house valuation as directed by Board action from its meeting on 12/13/02, Item D-50. •Parcel is located on Kaneohe Bay with no access from public road.
rp7478	DE MAURO, JOSEPH	(1) 9-4-010:100-0000	1/1/2010	Agriculture	0.413	156	<ul style="list-style-type: none"> •Rent carried over from rp6243, set by Board action on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •No access to parcel from public road.
rp7489	HAWAIIAN ELECTRIC CO INC	(1) 9-2-005:014-0001	1/1/2010	Telecom Facility	0	9,000.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp5566, by staff recommendation dated 11/19/93, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •RP covers only a portion of the parcel.

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7501	CANSIBOG, ROBERTA	(1) 8-7-001:033-0000	1/1/2010	Parking	0.424	324	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6955, set by Board action dated 8/27/99, Item D-13. •Part of the parcel is an intermittent flood area where rainwater drains into the Mailiili Channel during heavy downpours.
rp7514	UNITED LAUNDRY SERVICES, INC.	(1) 1-2-021:046-0000	1/1/2010	Parking	0.047	2,292.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6970, set by Board action dated 8/27/99, Item D-13. •No access to parcel from public road.
rp7517	OLOMANA GOLF LINKS, INC.	(1) 4-1-013:012-0000	10/1/2010	Agriculture	4.77	9,000.00	<ul style="list-style-type: none"> •Rent based on 8% (w/25% discount) of 2011 assessed land value. •Permittee's use of the parcel assists Div. in maintaining property.
rp7520	MIZUTA, ROBIN T.	(1) 4-1-010:049-0000	2/1/2010	Landscaping	0.2	240	<ul style="list-style-type: none"> •Rent carried over from cancelled rp 6667, set by Board action dated 8/27/99, Item D-13. •Staff to explore having parcel declared remnant and sold to permittee.

REVOCABLE PERMIT MASTER LIST 2017

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7544	LAU, TRUSTEE, KWOCK NAM	(1) 2-2-010:033-0000	2/1/2010	Parking	0.041	1,128.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp4456, rent set by Board action dated 8/27/99, Item D-13. •No access to parcel from public road. Staff is working on new RP to correct possible overlapping area with RP 7722.
rp7560	MOUNT WILSON FM BROADCASTERS, INC.	(1) 3-6-004:026-0000	7/1/2010	Telecom Facility	0.079	94,050.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp5384, in-house valuation 12/4/07. •ODLO will evaluate whether cancellation of existing RP and sale of lease at auction is viable for this conservation district property. Any long term plan will be discussed with DOFAW.
rp7561	HONOLULU POLO CLUB, INC.	(1) 4-1-009:262-0000	11/1/2010	Community Use	34.5	5,628.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6392, set by Board action dated 8/27/99, Item D-13. •Permittee's occupancy assists Division in maintaining its property.
rp7566	HILTON HAWAIIAN VILLAGE, LLC, JOINT VENTURE	(1) 2-6-008:029-0000	3/1/2010	Pier/Dock	0.09	405,192.00	<ul style="list-style-type: none"> •Rent carried over from cancelled RP3528, which was set via staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. •Staff to convert to term easement.

REVOCABLE PERMIT MASTER LIST 2017

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7570	HAWAII MOTORSPORTS ASSN INC	(1) 5-8-002:002-0000	3/1/2010	Recreational	449.72	1,236.00	<ul style="list-style-type: none"> •Rent is carried over from cancelled RP4858, set by Board action dated 8/27/99, Item D-13. •Permittee's use of the parcel assists Div. in maintaining property.
rp7579	AUWAIOLIMU CONGREGATIONAL CHURCH	(1) 2-2-14:17,26	6/1/2010	Church	0.199	480	<ul style="list-style-type: none"> •Rent is the minimum rent for a nonprofit, set at RP's commencement 6/2010. • Staff to enter into a direct lease with permittee.
rp7587	KUNSTADTER, PETER	(1) 3-6-001:025-A	5/1/2010	Pier/Dock	0.006	228	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6707, set by Board action dated 8/27/99, Item D-13. •Staff has written to permittee explaining its options for converting to an easement or removing the encroachment. Staff will do so one more time, and if permittee does not respond, staff will bring the case to the Board for decision.
rp7590	SAWINSKI, ROBERT G & RAY-JEN	(1) 4-6-022:026-A	7/1/2010	Pier/Dock	0.004	156	<ul style="list-style-type: none"> •Rent carried over from rp6836, set by Board action dated 8/27/99, Item D-13. •Staff to convert to easement.

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7596	HAWAIIAN ELECTRIC CO INC	(1) 9-9-044:022-0000	6/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from rp 0416, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7600	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:095-0000	4/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp1499, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7601	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 5-8-001:054-0000	4/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp2957, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.

REVOCABLE PERMIT MASTER LIST 2017

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Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7602	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-10, 4-1-25	4/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from rp 0416, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7604	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:000-0000	4/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from rp0444, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7605	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-013:022-0000	5/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp6973, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99 . •Staff working with permittee to convert rp to an easement.
rp7606	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:095-0000	4/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp1336, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.

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Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7607	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 5-9-006:6, 26	6/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp2959, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7610	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:088-0000	5/1/2010	Utility	0	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp 2956, set by Board at its meeting on 12/7/90, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Staff working with permittee to convert rp to an easement.
rp7643	SAVIO KC OPERATING COMPANY LLC	(1) 2-3-018:045-0000	1/1/2011	Parking	0.045	6,240.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7437, set 11/30/07 via in-house valuation. •Substandard parcel size.
rp7688	ROSLINDALE, INC.	(1) 7-3-012:011-0000	6/1/2011	Parking	0.117	600	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7332, using in-house valuation dated 1/31/03. •Federal covenants placed on the property at the time it was returned to the State limit its use to parking. Staff will evaluate whether public auction of the lease is possible for this parcel.

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7713	HARDINGER, DALE & CARLA	(1) 4-1-018:049-0000	7/1/2011	Pasture	0.8	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7106, set by staff appraisal dated 2/19/98. •Permittee's use of the parcel assists Div. in maintaining property.
rp7714	FUKUSHIMA, RALPH	(1) 4-1-013:011-0000	7/1/2011	Pasture	56.35	5,280.00	<ul style="list-style-type: none"> •Rent carried over from rp 5424, set by Board action dated 8/27/99, Item D-13. •Permittee's use of the parcel assists Div. in maintaining property.
rp7717	RAPOZA, GEORGE, JUNE, WESLEY & DESIREE	(1) 6-8-002:017-0000	8/1/2011	Pasture	32.05	156	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7094, by staff appraisal using State pasture formula 7/10/97, reevaluated by staff appraiser with no change in Board submittal dated 8/27/99. •Parcel is landlocked
rp7722	1942/1946 PAUOA ROAD OWNERS ASSN	(1) 2-2-010:021-0000	8/1/2011	Parking	0.53	912	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7081, staff recommendation 6/24/97. •No access to parcel from public road. Staff working on new RP to correct possible overlapping area with RP 7544.

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7725	PESTANA CORP. DBA BOB'S*	(1) 1-2-021:040-0000	8/1/2011	Baseyard/Storage	1.102	77,796.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7097, which was set via staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. • No access to parcel from public road.
rp7743	PEOPLE AND PET PARK, INC.	(1) 3-1-042:012-0000	9/1/2011	Recreational	1.461	0	<ul style="list-style-type: none"> •Rent is gratis. •Permittee is a 501(c)(3) entity, and its use of the premises prevents illegal dumping and squatters.
rp7748	ROBERT'S CENTRAL LAUPAHOEHOE INC.	(1) 1-2-021:041-0000	9/1/2011	Parking	1.745	37,764.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp7270, reviewed and recommended by staff appraisal on 3/5/01 for RP5641. •No access to parcel from public road.
rp7782	CARRILLO, ANTONE	(1) 8-7-001:029-0000	9/1/2011	Residential	0.4	7,200.00	<ul style="list-style-type: none"> •Rent carried over from cancelled RP7443, using in-house valuation on 10/31/07. •Permittee's presence on property deters illegal dumping and squatters.
	* PERMITTEE NOT IN GOOD STANDING WITH DCCA.						

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7825	UNGA, ANITILOSE AND MELIAM	(1) 5-8-001:038-0000	8/1/2012	Agriculture	2.164	480	<ul style="list-style-type: none"> •Rent is based on staff recommendation in accordance with minimum rent policy at RP's commencement 8/1/12. •Permittee's use of the parcel assists Div. in maintaining property.
rp7832	PRECAST, INC. AND RAYLYNN REBAR, LLC	(1) 1-2-021:045-0000	8/1/2013	Industrial	0.97	45,600.00	<ul style="list-style-type: none"> •Rent based on staff recommendation based on other RPs in the vicinity at RP's commencement 8/2013. •RP covers only a portion of the parcel also occupied by United Laundry.
rp7835	THE HARRY & JEANETTE WEINBERG, FOUNDATION INC.	(1) 1-2-021:037-0000	8/1/2013	Parking	0.674	32,760.00	<ul style="list-style-type: none"> •Rent based on staff recommendation, set via in-house valuation 2/29/08. •No access to parcel from public road, parking use.

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7843	TACTICAL AIRGUN GAMES HAWAII LLP	(1) 1-1-3:3,204 - 207,212	7/1/2014	Recreational	13.09	12,696.00	<ul style="list-style-type: none"> • Rent carried over from previous permit holder, which was set via staff appraisal as approved by Board at its meeting on 11/16/07, Item D-1. • At its meeting on 6/9/16, Item D-4, the Board approved the set aside to the City & County of Honolulu and aio Foundation for consent to lease, for affordable housing purposes. Notice to terminate the RP will be given when the City and aio are ready to enter into a lease.
rp7849	RESORTTRUST HAWAII, INC.	(1) 3-5-023:041-0000	7/1/2016	Recreational	0.929	14,928.00	<ul style="list-style-type: none"> • Rent carried over from previous permit holder, which was set via in-house valuation dated 11/22/06. • RP issued to the hotel's new owner to continue the then existing hotel operations over the subject location. The hotel is working on the environmental assessment for the long term disposition, and staff will bring the request to the Board at a later date when the EA process is completed.

REVOCABLE PERMIT MASTER LIST 2017

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit consumed (some water permits)

Doc No.	Permittee Name	TMK	Lease From	Char of Use	Lsed Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7851	HINES, JACOB KALEO	(1) 4-1-018:050-0000	2/1/2015	Residential	0.8	6,000.00	<ul style="list-style-type: none"> •Rent carried over from rp 5545, set by Board action dated 8/27/99, Item D-13. •Permittee's use of the parcel assists Div. in maintaining property.
rp7889	YAMADA, KAZUTO	(1) 4-1-008:072-0000	7/1/2016	Agriculture	14.5	1,296.00	<ul style="list-style-type: none"> •Rent carried over from cancelled rp 7564, set by Board action dated 8/27/99, Item D-13. •RP covers only a portion of the parcel. Pending transfer to DOA per Act 90.
rp7893	UNITED LAUNDRY SERVICES, INC.	(1) 1-2-021:045-0000	DOCUMENT OUT FOR SIGNATURE	PARKING/STORAGE	1.3	48,456.00	<ul style="list-style-type: none"> •Rent based on the rents for other revocable permits in the area. •Irregularly configured lot, which is not legally subdivided, with the majority of its acreage being unusable and lacking infrastructure. Staff to evaluate whether lot is leasable under a long-term disposition, as-is. Permittee occupies a different portion of same parcel as Precast, Inc.

PHONE (808) 594-1888

RECEIVED
LAND DIVISION

FAX (808) 594-1938

2016 JUL -5 AM 11:21



DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HWY., SUITE 200
HONOLULU, HAWAII 96817

HRD16-7891

June 27, 2016

Richard T. Howard, Land Agent
Department of Land and Natural Resources, Land Division
Post Office Box 621
Honolulu, Hawai'i 96809

Re: OHA comments on "Annual Renewal of Revocable Permits for Oahu"
O'ahu Mokupuni

Aloha e Mr. Howard:

The Office of Hawaiian Affairs (OHA) received your draft staff submittal to the Board of Lands and Natural Resources (Land Board), dated June 6, 2016. The Department of Land and Natural Resources (DLNR) Land Division proposes to renew 63 month-to-month revocable permits (RPs) held on O'ahu Island for a one-year period. Exhibit 2 of the draft submittal provides a list of the subject O'ahu RPs.

As noted in the staff submittal, the subject action was prepared in response to the Land Board's directive on December 11, 2015, which requested staff to submit the RP renewals for each county over four meetings, with an explanation of why a revocable permit is the appropriate disposition and how the rent for each permit was set. In addition, DLNR Chairperson Suzanne Case convened the DLNR Revocable Permits Task Force to revisit and evaluate the existing protocols and criteria for RPs and to make recommendations for improvements to the RP system. At the time of this letter's writing, the DLNR Revocable Permits Task Force had presented its report and recommendations the prior week to the Land Board on June 24, 2016; however, the minutes for the June 24th meeting are not yet available.

As drafted, OHA has a number of concerns regarding the presentation of the O'ahu revocable permit list and the process for renewal of these RPs, many of which our agency raised in the annual RP renewals for Kaua'i and Hawai'i Islands, as well.

EXHIBIT "3"

First, the staff submittal does not set forth a clear action for the Land Board. The staff submittal presents the action as an "annual renewal" but has been released for interagency review in June, rather than near the usual timeframe for annual renewals at the end of the calendar year. The Recommendation section similarly requests that the Land Board "[a]pprove the continuation of the revocable permits in Exhibit 2 on a month-to-month basis for another one-year period through December 31, 2017." Such a timeframe would exceed the one-year maximum length allowed by Hawai'i Revised Statutes (HRS) § 171-55.

Second, the staff submittal also appears premature given that the draft submittal was distributed prior to the presentation of the DLNR RP Task Force and action by the Land Board. Given our understanding of the action taken by the Land Board, we believe that the three staff submittals should be revised and re-released for interagency comment, with the additional requirements approved by the Land Board on June 24, 2016.

Third, a number of individual RPs note that the use of a parcel by a permittee assists DLNR with its maintenance of the parcel, presumably as a justification for a discounted rent for the associated parcel. While it would make sense that occupancy of a parcel is preferable to a vacancy, generally, this justification would appear applicable to most RPs and not be the basis for a reduced rent or short-term disposition by RP. For such RPs, we ask to see a discussion of specific maintenance or services provided by the permittee that benefit the state and a discussion of long-term plans for the parcel.

Finally, should the division choose to move forward with this submittal notwithstanding the release of a revised staff submittal for interagency review, we would ask that the Exhibit 2 master list of RPs be revised to include the following:

1. Page numbers and a sequential listing of RPs, which will facilitate discussions of the RPs by the Land Board members and public;
2. The trust land status of the subject parcel(s);
3. The date of the last affirmative review of the permit holder's compliance with the most recent permit terms;
4. A discussion of pending challenges to the land uses contemplated under each permit, if applicable;
5. The amount of water diverted, for those RPs involving water; and
6. Consistent comments across all RPs, particularly related to long-term disposition and a lack of outside interest. The inclusion of certain comments for some RPs but not others is confusing (i.e., has there been other interested parties for all RPs except those that state "No interest shown in parcels by public"?).

Mahalo for the opportunity to provide comments on the draft staff submittal for the O'ahu RPs. We hope to review a revised submittal that incorporates the Land Board action on

Richard Howard, DLNR Land Agent

June 27, 2016

Page 3

the RP Task Force report and recommendations. If you have any questions, please contact Everett Ohta, OHA Lead Compliance Specialist, at 594-0231 or everetto@oha.org.

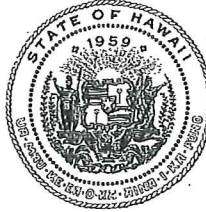
'O wau iho nō me ka 'oia 'i'o,

A handwritten signature in black ink, appearing to read "Kamano Crabbe".

Kamana'opono M. Crabbe, Ph.D.
Ka Pouhana, Chief Executive Officer

KC:eo

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAOHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: AJR

COR: OA-16-254

MEMORANDUM

JUL - 8 2016

TO: Richard T. Howard, Land Agent
DLNR – Land Division

FROM: Samuel J. Lemmo, Administrator
DLNR – Office of Conservation and Coastal Lands

SUBJECT: **REVOCABLE PERMIT REVIEW – ISLAND OF OAHU**
Various Districts, Island of Oahu
TMK: Various (listed in document)

Dear Mr. Howard,

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your memo regarding a review of Revocable Permits located on State Lands on the Island of Oahu. According to the list provided, there are a number of Tax Map Keys (TMK) (and therefore Revocable Permits (RP)) that are located within the State Land Use (SLU) Conservation District; all land uses within the SLU Conservation District are under the regulatory authority of this office.

This memorandum outlines only those RPs that are located within the SLU Conservation District, RPs located in the water, as well as any permits (or lack thereof) for each RP TMK that are listed in our database. Additionally, the list provided had some mis-labeled TMK numbers that could not be reviewed, those are also presented below.

OAHU

- **RP7566**; (1) 2-6-008:029; Hilton Pier, Waikiki – COR: OA-06-99
- **RP5614**; (1) 3-1-042:006; Diamond Head SP – COR: OA-04-132, OA-15-191
- **RP7587**; (1) 3-6-001:025; (Water in Conservation District, Land in Urban District) – CDUP: OA-1206
- **RP7560**; (1) 3-6-004:026; No Subdivision Permit; No Land Use Permits
- **RP5408**; (1) 4-1-001:011; (Water in Conservation District, Land in Urban District) – No Land Use Permits
- **RP7714**; (1) 4-1-013:011; 95% Conservation District, 5% Urban District – CDUP: OA-1871, COR: OA-09-203

EXHIBIT "4"

- **RP7242**; (1) 4-2-010:001; CDUP: OA-616, OA-1748, OA-2143, OA-3611
- **RP5414**; (1) 4-5-001:018; (Water in Conservation District, Land in Urban District) – No Land Use Permits
- **RP6331**; (1) 4-5-003:002; (Water in Conservation District, Land in Urban District) – CDUP: OA-600
- **RP6546**; (1) 4-5-058:121; (Un-zoned Parcel – Water in Conservation District) – No Land Use Permits
- **RP7590**; (1) 4-6-022:026; (Water in Conservation District, Land in Urban District) – CDUP: OA-901 (ATF)
- **RP7607**; (1) 5-9-006:006 & 026; Resource and General Subzones – COR: OA-10-204, CDUP: OA-2807 & OA-3402
- **RP5563**; (1) 9-2-005:014; Private and Public Telecom – CDUP: OA-1888, OA-2172, OA-2628, OA-3502

TMKs not labeled correctly:

- **RP7604**; (1) 4-1-010:???
- **RP7602**; (1) 4-1-010:??? & (1) 4-1-025:???

The OCCL would like to take this opportunity to remind those persons or entities that utilize parcels located within the SLU Conservation District that permittees/applicants are required to inform this office of any proposed land uses that may occur in the Conservation District.

Additionally, any of the RPs listed above with the label “*No Land Use Permits*” indicate that no record of any permit/authorization/approval was listed in our (OCCL) database for that specific TMK.

If you have any questions regarding this correspondence please contact Alex J. Roy, M.Sc. of our *Office of Conservation and Coastal Lands* staff at 808-587-0316 or via email at alex.j.roy@hawaii.gov

CC: *Chairperson*



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 13, 2016

MEMORANDUM

TO: Sam Lemmo, Administrator
Office of Conservation and Coastal Lands

THRU: Russell Tsuji, Administrator
~~Land Division~~

FROM: Barry Cheung, Oahu District Land Agent
Land Division

Barry Cheung

SUBJECT: Revocable Permit Review – Island of Oahu
Various Districts, Island of Oahu
TMK: Various (listed in document)

Thank you for your memo dated July 8, 2016 addressed to us on the subject matter, and we provide our responses below:

RP 7560 Mt Wilson

I found a submittal referenced OA-7/7/13-139 amended a prior Board CDUP action. Please advise if this would suffice the permit requirement. In addition, the current permit area is a legally subdivided lot under Land Court Application 656, Map 248, Lot 1222-A, with an area of 0.079 acre. It has been set aside to DOFAW pursuant to EO 4409. It is our understanding that the Land Court system would not approve the subdivision of Lot 1222 into Lots 1222-A and 1222-B without a proper subdivision approval.

RP 5408 (Muller), RP 5414 (Noto), and RP 7590 (Sawinski)

According to our RP files, these piers existed for a long time. Mr. Noto (now deceased) even had a permit issued by the DOT Harbors Commissioner [#1311], before our DOBOR was created. Notwithstanding their existence, when the Department was working on the Pier Amnesty Program, OCCL did a master CDUP OA-3017B, which covered a whole bunch of parcels on the Windward side, including those for Noto and Sawinski. For Muller, there are government correspondences in the file saying the pier was actually built by the Army Corps circa 1946. Eventually, the Department decided to process a RP for Muller.

EXHIBIT "5"

RP 5563

I am aware of another RP7489 for HECO at the same location as RP 5563 for same purposes. Just checking if RP7489 your office has any comment on RP7489.

TMKs not labeled correctly

This is the deficiency of RP due to the lack of surveyed map. However, we are in the process of converting HECO's RPs to long term easement with a proper survey map for ease of tracking. Nevertheless, the two permits [#7602 and 7604] are falling on agricultural land under SLU, the plain of Waimanalo, and are touching any conservation lands.

Please feel free to contact Richard Howard at 587-0421 or us at 587-0430 if you have any further questions.

cc: / Chairperson
Richard Howard, Land Division

CONSUMER PRICE INDEX
HONOLULU ALL URBAN CONSUMERS

YEAR	CPI ANNUAL AVERAGE	ANNUAL % INCREASE	% INCREASE FOR PERMIT APPRAISED OR ISSUED
1999	173.3		52.36%
2000	176.3	1.73%	49.77%
2001	178.4	1.19%	48.00%
2002	180.3	1.07%	46.44%
2003	184.5	2.33%	43.11%
2004	190.6	3.31%	38.53%
2005	197.8	3.78%	33.49%
2006	209.4	5.86%	26.09%
2007	219.504	4.83%	20.29%
2008	228.861	4.26%	15.37%
2009	230.048	0.52%	14.78%
2010	234.869	2.10%	12.42%
2011	243.622	3.73%	8.38%
2012	249.474	2.40%	5.84%
2013	253.924	1.78%	3.98%
2014	257.589	1.44%	2.50%
2015	260.165	1.00%	1.49%
2016	264.038 *	1.49%	

* ONLY THE FIRST HALF 2016 CPI NUMER AVAILABLE AT THE CURRENT TIME.

EXHIBIT " 6 "

